

Salisbury, North Carolina

August 19, 2003

REGULAR MEETING

PRESENT: Mayor Susan W. Kluttz, Presiding; Mayor Pro Tem, Paul B. Woodson, Jr.; Councilmen William (Bill) Burgin; Robert (Bob) Martin; City Manager, David W. Treme; City Attorney, F. Rivers Lawther, Jr.; and City Clerk, Myra B. Heard.

ABSENT: Councilman William (Pete) Kennedy

The meeting was called to order by Mayor Kluttz at 4:00 p.m. The invocation was given by Mayor Pro Tem Woodson.

PLEDGE OF ALLEGIANCE

Mayor Kluttz led those present in the Pledge of Allegiance to the United States flag.

RECOGNITION OF VISITORS

Mayor Kluttz recognized all visitors present.

ADDITIONS/DELETIONS TO THE AGENDA

Mayor Kluttz noted the following changes to the agenda:

Addition: Council Committee report from Mayor Pro Tem Woodson and Councilman Burgin concerning Rowan County Industrial Park.

RECOGNITION OF MR. HUBERT FURR - DEVELOPMENT SERVICES MANAGER

Mayor Kluttz announced that Mr. Hubert Furr, Development Services Manager, has been named Member of the Year of the North Carolina Association of Zoning Officials for 2003. The award was given to Mr. Furr for his involvement, loyalty, dedication, and leadership to the association. Mr. Furr has been an active member of the association since 1988 and became a Certified Zoning Official in November, 1994.

Mayor Kluttz announced that Mr. Furr will retire after twenty-five (25) years of service with the City of Salisbury. Mayor Kluttz stated she was very grateful for Mr. Furr's service and proud of his accomplishments.

CONSENT AGENDA

(a) Minutes

Approve Minutes of the regular meeting of August 5, 2003.

(b) Group Development Site Plan - G-10-03 - Tri-State Hospital

Approve Group Development Site Plan G-10-03 for Tri-State Hospital Supply, 3310 South Main Street, for the construction of a five thousand forty (5,040) square foot building addition and parking reconfiguration at the existing site.

(c) Final Subdivision Plat - S-09-02 - Fleming Heights

Approve final Subdivision Plat S-09-02 for Fleming Heights located on Lash Drive.

Thereupon, Mayor Pro Tem Woodson made a **motion** to approve the Consent Agenda. Councilman Martin seconded the motion. Messrs. Burgin, Martin, Woodson and Ms. Kluttz voted AYE (4-0)

REPORT FROM ROWAN COUNTY COOPERATIVE EXTENSION MASTER GARDENERS ON STATUS OF WEST END COMMUNITY GARDEN

Mr. Darrell Blackwelder, Agricultural Agent, North Carolina Cooperative Extension, updated Council on the West End Community Garden.

Mr. Blackwelder told Council that new raised beds have been added to the front of the garden with grants from the Salisbury Housing Authority. A butterfly garden has also been added for educational programs, he noted. Mr. Blackwelder indicated they hoped to get more community and school groups involved with the garden.

Mr. Blackwelder explained that an enabling garden has been developed for those who are physically unable to work in a garden. The enabling garden was developed from a grant by Mr. Hurley and the Salisbury Civitans. Enabling Garden classes have begun, and Mr. Blackwelder indicated he hoped to use this as a training model for facilities that have patients who are physically unable to garden.

Other developed areas include a bog garden, in an effort to create a natural environmental habitat for bog plants and animals. Small fruit plant demonstrations have also been added to show people what can be grown in their own back yards.

Mr. Blackwelder pointed out that although there has been a lot of rain during the summer, irrigation is still necessary for the plants to survive. He noted that a field day will be held on September 13, 2003 to invite the general public to the garden. A cut flower demonstration has been developed to determine if cut flowers can be grown as a marketable crop. Other new additions include cover crops, which were planted for birds, compost bins, and a new storage building.

Mr. Blackwelder described a future shade garden that is being created using 150 hostas donated from a nursery in Advance, North Carolina. The area was previously covered with brush and clutter but has been cleared by the Salisbury Parks and Recreation Department for the planting.

Mr. Blackwelder thanked the cooperating organizations that have provided support for the development and maintenance of the West End Community Garden. Mr. Blackwelder recognized the following who are members of the Master Gardeners Association and who work very hard on the garden: Elaine Hewitt, President, Tommy Davidson, Sonja Skelton, Hilda Prange, and Sheila Hoffmeister.

Mayor Kluttz expressed Council's gratitude for the work done at the garden and presented Mr. Blackwelder with a Certificate of Appreciation from City Council to the Rowan County Master Gardeners Association.

SUBDIVISION TEXT AMENDMENTS - MINIMUM LOT DIMENSIONS IN CERTAIN ZONING DISTRICTS

(a) Mr. Harold Poole, Senior Planner, discussed a recommendation from the Planning Board concerning subdivision text amendments and minimum lot dimensions in certain zoning districts.

Mr. Poole explained that the changes were applicable to the following sections of the Subdivision Ordinance: 3.03 Exception Plat Design Standards, parts 1-3 residential and 4-6 non-residential; 4.03 Minor Plat Design Standards, parts 7-9 residential and 10-12 non-residential; and 5.02 Design Standards parts 13-15 residential and 16-18 non-residential. Mr. Poole added that the changes addressed area, width, and depth.

Area

Currently, the minimum lot size for any residential lot is 7,500 square feet.

The proposal would allow smaller lots to be created. 7,000 square feet in the SFC (single family conservation) and 6,000 in the R-6 and R-6A districts. Development will be limited to single-family development. There will be no change for single-family residential districts such as R-8, which have 8,000 square foot minimum size or the non-residential districts, which start at 12,500 square feet.

Width

Currently residential lot widths begin at sixty (60) feet but the change will begin at fifty (50) feet in SFC districts. Otherwise the standard remains at sixty (60) foot minimum width with wider widths required for duplexes or multi-family developments. All lots must have public water and sewer to meet the criteria for the smaller lot width.

Depth

Currently the subdivision ordinance requires one hundred twenty five (125) feet for lot depth. The proposed change is to lower this to one hundred (100) feet in the residential lots zoned SFC, R-6 and R-6A.

Mayor Pro Tem Woodson commented on the amount of information contained in the requested changes. Mr. Poole stated that overall the changes were to allow an increase in density and to allow smaller lots to be developed. He added that he felt the changes were on a moderate level.

City Manager Treme pointed out that the changes will bring the Subdivision Ordinance in line with the Zoning Ordinance and allow smaller lots to be developed. He explained that by doing this it will remove one of the conflicts and allow smaller lots with public water and sewer to be developed, which was a goal of City Council.

Mayor Pro Tem Woodson asked if the smallest lot acceptable is five thousand (5,000) square feet. Mr. Patrick Ritchie, Staff Engineer, indicated that six thousand (6,000) square feet will be the smallest acceptable lot.

Mr. Poole stated that planning staff looked at the lots in the North Main Street area that do not have large street frontage but have depth. He added that staff has approached Council in the past to seek modification of standards to allow development in certain areas, but with the changes incorporated into the ordinance, in the future they will not have to continue coming to Council to ask for modification of standards.

(b) Mayor Kluttz convened a public hearing, after due notice and advertisement thereof, on the subdivision text amendment concerning minimum lot dimension in certain zoning districts.

Since no one was present to speak **for** or **against** the above proposal, Mayor Kluttz closed the public hearing.

Councilman Martin indicated the change seems reasonable and it appeared the Legislative Committee has done quite a bit of research and study on the changes and the Planning Board unanimously approved the changes.

Mayor Kluttz stated she hoped by bringing the Subdivision and Zoning Ordinances into alignment it will simplify the process.

(c) Thereupon, Councilman Burgin made a **motion** to adopt the changes recommended by the Planning Board for subdivision text amendments concerning minimum lot dimensions. Mayor Pro Tem Woodson seconded the motion. Messrs. Burgin, Martin, Woodson, and Ms. Kluttz voted AYE. (4-0)

AN ORDINANCE AMENDING APPENDIX A, SUBDIVISION, OF THE CITY OF SALISBURY, NORTH CAROLINA, BY AMENDING STANDARDS FOR AREA, WIDTH, AND DEPTH, FOR BOTH RESIDENTIAL AND NONRESIDENTIAL LOTS, IN THE DESIGN STANDARDS SECTIONS FOR EXCEPTION PLATS, MINOR PLATS, AND CONVENTIONAL SUBDIVISIONS.

(The above ordinance is recorded in full in Ordinance Book No. 19, under Chapter XI -Zoning & Planning, at Page Nos. 36-39, and is known as Ordinance No. 2003-54.)

ZONING TEXT AMENDMENT CONCERNING FRONT YARD SETBACK IN SINGLE FAMILY CONSERVATION DISTRICT

(a) Mr. Harold Poole, Senior Planner, explained that the front yard setback in the Single Family Conservation (SFC) District is currently thirty (30) feet and the Planning Board recommends changing it to twenty (20) feet. Mr. Poole indicated that the Legislative Committee debated the change and recommended a twenty-five (25) foot compromise. When the motion was made at the Planning Board it was to allow twenty (20) foot setbacks. Therefore, Council could choose the thirty (30), twenty-five (25) or twenty (20) foot setbacks.

Councilman Burgin stated he thought the setback was thirty (30) feet in SFC, but the owner could appeal for an alignment with the adjacent houses. Mr. Hubert Furr, Development Services Manager, indicated there is an averaging allowed.

Councilman Burgin stated the SFC District was existing neighborhoods and asked if the City has new SFC Districts. Mr. Poole responded that initially the SFC was developed for the North Main Street area but now applies in the West Square area and could possibly apply in the future to the Wilson Road and Jersey City neighborhood.

Mr. Poole discussed the various setbacks for different zoning districts and Councilman Burgin indicated he was nervous about what could happen with the alignments in new or existing neighborhoods.

Councilman Burgin expressed concern if a developer builds in a neighborhood with thirty (30) foot setbacks but decides to build a house with a twenty (20) foot setback. Mr. Dan Mikkelsen, Director of Land Management and Development, indicated that most of the SFC Districts such as the West Square and North Main Street District are also covered by the Historic District Overlay. Any property owner wishing to build a new house, or add on to an existing house, in a historic district would have to apply for a Certificate of Appropriateness from the Historic Preservation Commission (HPC). The HPC has the authority to deny any proposal they found to be not in keeping with the mass, scale, or location of surrounding properties. Therefore, in SFC zones with historic overlays, the HPC can prevent developers from building a house with a twenty (20) foot setback if the property is surrounded by houses with thirty (30) foot setbacks.

(b) Mayor Kluttz convened a public hearing, after due notice and advertisement thereof, on the zoning text amendment.

Since no one was present to speak **for** or **against** the above proposal, Mayor Kluttz closed the public hearing.

Councilman Burgin indicated he felt more comfortable with the change after Mr. Mikkelsen's explanation but asked how the change came about. Mr. Mikkelsen commented that the change will amend the Zoning Ordinance in keeping with the Vision 2020

Plan to bring structures closer to the street. Mr. Mikkelson indicated he sees the SFC district becoming a choice for developers who want to develop a neotraditional-style subdivision. Councilman Burgin stated he was still worried about existing neighborhoods with existing conditions. Mr. Mikkelson stated he could compile an inventory of existing SFC districts, their typical existing setbacks, and whether or not they are in historic districts. Councilman Burgin stated he did not want to jeopardize any existing SFC neighborhoods and indicated he would feel more comfortable if staff could research the existing SFC districts and return to Council.

(c) By consensus, the issue was tabled until Council's next meeting of September 2, 2003.

ZONING TEXT AMENDMENT CONCERNING OUTDOOR DISPLAY AREA IN PARKING LOTS

(a) Mr. Harold Poole, Senior Planner, indicated this change was in response to a request received from Mr. Ken Jefferies, Store Manager of Wal-Mart, to reduce the parking space requirement from 5 to 4.5 to allow them to use parking space for outdoor display.

The planning board recommends, "outdoor display areas in certain parking lots, provided that:

1. The maximum allowable area for an outdoor display area shall be 10 percent, though City Council in its review for issuance of the special use permit or reconsideration, may reduce the 10 percent to some lesser percentage.
2. Council may set a time limitation for applicability, such as the months of January through October, which could be made applicable for one year, several years, or an indefinite number of years – until the permit is reevaluated.
3. This provision shall apply only in the B-7 Limited Business or B-6 General Business zoning districts.
4. This provision shall be restricted to buildings with more than 80,000 square feet.
5. Certain uses/materials shall be prohibited, including tents, trailers, fertilizer, and any other materials prohibited by the National Pollution Elimination Discharge System. In addition, Council may add other uses/materials that shall be eliminated, on a case-by-case review of individual special use permits.
6. Identification of the outdoor display area shall be shown on the group development site plan.
7. Though "outdoor storage" is permitted in industrial districts, that type of "outdoor storage" is not the same as "outdoor display areas" described in this part, and shall not be used for the purposes described here.
8. As with other special use permits, Council may evoke a permit, review a permit, or even amend a permit if there were circumstances that could cause this to happen. The procedure for review, including Planning Board involvement, is outlined in Subsection I, "Procedures for this Section"

Mayor Pro Tem Woodson asked about the size of the old Wal-Mart building. Mr. Poole indicated the building was approximately 92,000 square feet and therefore, Magic Mart, the new tenant, could request a special use permit for outdoor display from City Council.

Councilman Martin asked how an outdoor display area is defined. Mr. Poole stated that an outdoor display area is an area used to display merchandise that is normally inside the store. He added that examples could include plants or storage buildings. Councilman Martin asked if the merchandise displayed outside in the downtown area is considered outdoor displays. Mr. Poole indicated the downtown stores did not have the same square footage as the bigger retail stores and was not considered the same.

(b) Mayor Kluttz convened a public hearing, after due notice and advertisement thereof, on the zoning text amendment to allow an outdoor display area in certain parking lots.

Since no one was present to speak **for** or **against** the above proposal, Mayor Kluttz closed the public hearing.

Councilman Martin stated Council wanted to be business friendly and this change helps businesses.

(c) Thereupon, Councilman Martin made a **motion** to adopt the zoning text amendment. Mayor Pro Tem Woodson seconded the motion. Messrs. Burgin, Martin, Woodson, and Ms. Kluttz voted AYE. (4-0)

AN ORDINANCE AMENDING APPENDIX B, ZONING, OF THE CITY OF SALISBURY, NORTH CAROLINA, BY ADDING A NEW PART (h) OUTDOOR DISPLAY AREAS IN CERTAIN PARKING LOTS, OF SUBSECTION III APPLICABILITY OF SECTION 7.10 SPECIAL USE PERMIT, AND OTHER APPROPRIATE SECTIONS PERTAINING TO OUTDOOR DISPLAY AREAS IN CERTAIN PARKING LOTS.

(The above ordinance is recorded in full in Ordinance Book No. 19, under Chapter XI -Zoning & Planning, at Page Nos. 40-41, and is known as Ordinance No. 2003-55.)

ZONING TEXT AMENDMENT - OUTDOOR DINING AT RESTAURANTS

(a) Mr. Harold Poole, Senior Planner, told Council that the Zoning Ordinance does not specify if outdoor dining is allowed. He indicated the Planning Board felt that it needed to be added and recommended allowing outdoor dining unless specifically

prohibited in a particular zoning district.

Mayor Pro Tem Woodson asked how the change came about. Mr. Poole replied that outdoor dining was discussed concerning the A-9 Original Steakhouse & Sports Theater at the Salisbury Mall and it was noted that outdoor dining is allowed at McDonald's, Schlotzsky's and other establishments but was not specifically addressed in the ordinance.

(b) Mayor Kluttz convened a public hearing, after due notice and advertisement thereof, on the zoning text amendment to allow outdoor dining.

Since no one was present to speak **for** or **against** the above proposal, Mayor Kluttz closed the public hearing.

(c) Thereupon, Councilman Burgin **moved** to adopt the text amendment not prohibiting outdoor dining. Councilman Martin seconded the motion. Messrs. Burgin, Martin, Woodson, and Ms. Kluttz voted AYE. (4-0)

AN ORDINANCE AMENDING APPENDIX B, ZONING, OF THE CODE OF ORDINANCE OF THE CITY OF SALISBURY, NORTH CAROLINA, TO ADD SECTION 12.39 TO BE ENTITLED "ALLOWANCE FOR OUTDOOR DINING."

(The above ordinance is recorded in full in Ordinance Book No. 19, under Chapter XI - Zoning & Planning, at Page No. 42, and is known as Ordinance No. 2003-56.)

MUNICIPAL MAINTENANCE AGREEMENTS WITH NORTH CAROLINA DEPARTMENT OF TRANSPORTATION

Ms. Wendy Brindle, Traffic Engineer, indicated that Council had previously adopted an agreement with North Carolina Department of Transportation (NCDOT) for reimbursement rates for maintenance of traffic signals. Ms. Brindle told Council that the City of Salisbury is delegated to maintain the streets within the City limits but the State requires a standard reimbursement agreement be in place. Ms. Brindle indicated that the rates had not been updated in ten (10) years and this will update the reimbursement rates for the agreement.

The agreements are for Schedule "A" Signs and Schedule "B" Pavement Markings and Markers. Ms. Brindle told Council the new reimbursement rates were effective July 1, 2003.

(a) Thereupon, Mayor Pro Tem Woodson made a **motion** to authorize the Mayor to execute a maintenance agreement with the State of North Carolina regarding Schedule "A" Signs. Councilman Martin seconded the motion. Messrs. Burgin, Martin, Woodson and Ms. Kluttz voted AYE. (4-0)

RESOLUTION AUTHORIZING THE MAYOR AND CITY CLERK TO EXECUTE AN AGREEMENT WITH THE NORTH CAROLINA DEPARTMENT OF TRANSPORTATION CONCERNING MAINTENANCE OF TRAFFIC CONTROL DEVICES, SCHEDULE A - SIGNS.

(The above resolution is recorded in full in Resolution Book No. 11, under Chapter XII – Miscellaneous, at Page 51, and is known as Resolution No. 2003-37.)

(b) Thereupon, Mayor Pro Tem Woodson made a **motion** to authorize the Mayor to execute a maintenance agreement with the North Carolina Department of Transportation regarding Schedule "B" Pavement Markings and Markers. Councilman Burgin seconded the motion. Messrs. Burgin, Martin, Woodson, and Ms. Kluttz voted AYE. (4-0)

RESOLUTION AUTHORIZING THE MAYOR AND CITY CLERK TO EXECUTE AN AGREEMENT WITH THE NORTH CAROLINA DEPARTMENT OF TRANSPORTATION CONCERNING MAINTENANCE OF TRAFFIC CONTROL DEVICES, SCHEDULE B – PAVEMENT MARKINGS AND MARKERS.

(The above resolution is recorded in full in Resolution Book No. 11, under Chapter XII – Miscellaneous, at Page 52, and is known as Resolution No. 2003-38.)

VOLUNTARY ANNEXATION - SALISBURY APARTMENTS - 1100 BRINGLE FERRY ROAD

Mr. Patrick Ritchie, Staff Engineer, informed Council that staff has received a request for voluntary annexation from Mr. Robert Wilson to annex 6.376 acres of land (Salisbury Apartments) located on Bringle Ferry Road. Mr. Ritchie stated that if the annexation is approved it will become effective December 31, 2003.

Councilman Burgin asked what obligations the City would have for the site. Mr. Ritchie responded that the site is being developed as apartments and annexation was one of their conditions of approval.

Thereupon, Councilman Burgin made a **motion** to approve a Resolution directing the City Clerk to investigate the sufficiency of the request for voluntary annexation. Mayor Pro Tem Woodson seconded the motion. Messrs. Burgin, Martin, Woodson and Ms. Kluttz voted AYE. (4-0)

RESOLUTION DIRECTING THE CITY CLERK TO INVESTIGATE A PETITION RECEIVED UNDER G.S. 160A-31, FOR VOLUNTARY ANNEXATION.

(The above resolution is recorded in full in Resolution Book No. 11, under Chapter XII – Miscellaneous, at Page 53, and is known as Resolution No. 2003-39.)

ANNUAL REPORT - SALISBURY POLICE DEPARTMENT

Police Chief Mark Wilhelm addressed Council concerning the Salisbury Police Department's Annual Report for 2002. Chief Wilhelm stated that the report is presented in honor of Police Officer Denny Morgan who is serving in Kuwait as part of the National Guard.

Chief Wilhelm reviewed the vision for the Salisbury Police Department stating it is for a safe community of happy people built on partnership and values, a police department with a common direction, communication and accountability.

The mission of the Police Department is:

The Salisbury Police Department will provide service to the community through commitment and communication which will be manifested by:

- Meeting clear crime control goals
- Demonstrating concern for the community
- Promoting education for all
- Finding resources needed to meet goals

Chief Wilhelm pointed out the three (3) divisions of the Police Department, which are the Office of the Chief of Police, the Field Operations Division and the Support Services Division.

Office of the Chief of Police

Chief Wilhelm reviewed the strategic plan and the time frame associated with each goal. He noted that each of the plans are on-going and the strategic plan will be updated each year.

Chief Wilhelm stated that the Crime Control Plan goals are to improve understanding and awareness of diverse cultures, increase opportunities for youth to reduce at-risk behavior, the Covenant Community Connection, and Project Safe. It was noted that Part I crimes were down 13% and violent crimes were down from 203 in 2001 to 198 for 2002, however, rape and individual robberies increased. Part II crimes, which are less serious, were also down 13% for 2002.

Field Operations Division

The Field Operations Division consists of the North District, South District, Special Operations Unit, Special Response Team, K-9, Traffic Officers, School Resource Officers, Criminal Investigations and the Drug Unit.

Chief Wilhelm reviewed statistics for the year for both the North and South Districts and indicated the department had several neighborhood groups that it worked with during the year. The neighborhood groups included the Salisbury Neighborhood Action Group (SNAG), the West End Community Organization (WECO), Park Avenue, Oakland Heights, Sedgefield, Milford Hills, Greenhill and the newly annexed neighborhoods of Westcliffe and Hendrix Estates. Special projects included Click It or Ticket, Booze It or Loose It, DWI/License Checkpoints, Drug Interdictions, Robbery Projects, Burglary Projects, Raids and Surveillance. Chief Wilhelm noted that there was a 50% decrease in traffic fatalities for 2002.

Chief Wilhelm stated that the housing grant ran out in October, 2002 but the officers had made an impact while working with the housing units and reviewed statistics for activity during that period.

Chief Wilhelm also reviewed the K-9 Unit and the Special Response Team summaries for 2002. The department wide clearance rate for criminal investigations was 3,583 assigned cases; 1,141 cleared or 32%. Drug investigations for 2002 yielded 55 arrests, seizing 840 grams of Cocaine, marijuana and money totaling \$97,017. When money is included in a state seizure, the State keeps 25% of what is seized and the participating authorities split the remaining 75%, Chief Wilhelm stated.

Chief Wilhelm also discussed Project Safe, which is a program to reduce gun violence through partnerships, strategic planning, training, community outreach and accountability. He noted that this was an on going program and reviewed the strategic plan for the program.

Support Services Division

The Support Services Division is comprised of the Professional Standards Unit, Internal Affairs and Complaint Investigations, Training, Recruitment and Selection, Inspections, Ride-a-Long Program, Citizen's Police Academy, Community Services Unit, Victim Advocate, Police Volunteers, Parking Control, School Crossing Guards, Community Service Officer, D.A.R.E, Nuisance Abatement, Property Management, Information Management, Police Communications, Police Fleet Management and Animal Control.

Chief Wilhelm reviewed statistics for the division and noted that calls for service have increased each year since 1998.

Councilman Martin commended Chief Wilhelm for his outstanding job as Chief and asked about the Police Department's Reserve

Program. Chief Wilhelm stated he had about 6 or 7 active officers and he was in the process of increasing that number. Councilman Martin asked Chief Wilhelm about the increase of 45% in fraud and asked if he felt the economy played a part in the increase. Chief Wilhelm responded that the fraud was typically credit card fraud and forged checks and he felt it was largely due to drugs.

Mayor Pro Tem Woodson commented on the possession of weapons by drug dealers and asked if these were used against the Police. Chief Wilhelm answered that the guns were used by the drug dealers as protection against other drug dealers.

City Manager Treme noted that Project Safe was an exciting project and the implementation has been excellent. Those who possess guns during a crime are charged federally and are given longer prison sentences.

Mayor Kluttz thanked Chief Wilhelm for his leadership and the report and added Council has received many positive comments on his leadership.

COUNCIL COMMITTEE REPORT - ROWAN COUNTY INDUSTRIAL PARK

Councilman Burgin indicated he and Mayor Pro Tem Woodson met with County Commission Chairman Steve Blount and County Manager Tim Russell to discuss the County's concerns regarding their industrial park. The process that the City's planning and development follows and how it relates to the County's industrial park is their main concern and they asked if there was anything Council could do to speed up the process. Councilman Burgin indicated that in the interim as the City works to streamline the planning and development process, the Council Committee recommends carving the industrial park out of the City's Extra Territorial Jurisdiction (ETJ) and allowing the County to handle the permitting process.

Mayor Pro Tem Woodson indicated that the City wants to help the County develop the park and this is a way the City can help. He added that citizens feel the City and County have to do more to bring jobs to the community.

Mayor Kluttz thanked the Council Committee for their work and indicated she was in favor of the change in an effort to help the County develop the park.

City Manager Treme indicated a motion will be needed to authorize staff to proceed to release the industrial park from the City's ETJ.

Thereupon, Mayor Pro Tem Woodson made a **motion** to authorize staff to look into the ETJ around the industrial park. Councilman Martin seconded the motion. Messrs. Burgin, Martin, Woodson, and Ms. Kluttz voted AYE. (4-0).

COMMENTS FROM CITY MANAGER

(a) Planning Board Recommendations

Council received the Planning Board recommendations and comments from their August 12, 2003 meeting.

(b) Salisbury-Rowan Utilities 2003 Award of Merit

City Manager Treme recognized Mr. John Vest, Deputy Utilities Director, who came forward to receive the 2003 Award of Merit awarded to the Salisbury-Rowan Utilities Department. The award was one (1) of only eight (8) awarded throughout the state.

Mr. Vest thanked Risk Management for their help in compiling statistics used in submission. Mayor Kluttz thanked Mr. Vest and noted Council was very proud of staff and their work.

(c) Council Candidate Information Session

City Manager Treme reminded Council of the Council Candidate Information Session to be held Monday, August 25, 2003 from 5:00 – 6:22 p.m., at City Hall.

(d) Chamber of Commerce Candidate Forum

City Manager Treme informed Council that the Chamber of Commerce will hold a Council Candidate forum on Thursday, October 23, 2003.

ADJOURNMENT:

Motion to adjourn the meeting was made by Mayor Pro Tem Woodson, seconded by Councilman Burgin. All Council members agreed unanimously to adjourn. The meeting was adjourned at 5:40 p.m.

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City Clerk